

Jail Industries Habitat Restoration and Enhancement Project Overview

The Challenge:

Find reliable, cost effective labor to complete habitat projects on time and on budget.

The Solution:

Jail industries crews working under the technical direction of conservation professionals.

What are jail industries crews?

- Supervised work crews of minimum security offenders from your local jail
- Available for manual labor and outfitted with basic tools and safety equipment

Why use jail industries crews?

Working with jail industries and community service crews provide multiple benefits.

For project sponsors:

- Cost effective offender crews supervised by trained staff
- Opportunity to leverage resources to maximize labor hours available
- Greater coverage for habitat programs
- Frees other project partners to perform more highly skilled work
- **Labor hours count toward local match requirements**

For communities concerned about criminal justice costs:

- Community service alternative to incarceration, lowering costs
- Supervision for offenders working off sentenced hours or paying fines through community credits
- Management tool providing incentives for good behavior for incarcerated offenders
- Relieves jail overcrowding

For communities that want more from the criminal justice system:

- Strong public support for offender work benefiting the community
- Productive activity and work ethics development
- Positive feedback from offenders who appreciate the opportunity to work and contribute to the community
- Work experience and potential post-release employment for crew members

What can I expect from a jail industries work crew?

Many jails suffer from severe overcrowding and a lack of space and resources to provide work or program activities for offenders. Providing work is a big bonus for offenders, who almost uniformly report they would rather be active and productive rather than sit idle in their cells. Jail managers like having offenders working because it gets offenders out of the jail, providing a positive outlet for their energies. Consequently, you can expect a highly motivated and hard working crew, which will be extremely productive.

Who would supervise a jail industries work crew?

Supervision is negotiable between the project sponsor and the jail. There are several models to choose from when considering how to manage a jail industries work crew. Which model you choose will depend upon negotiations between the jail and other agencies dealing with habitat enhancement and restoration issues. Considerations include cost, community safety, worker safety and training, and staff safety and training.

Crew supervision could be provided by:

- correctional officers
- non-uniformed correctional staff crew chiefs
- county or city agencies, i.e. public works supervisors
- project sponsor staff

Technical oversight/basic training in planting techniques

- provided by conservation professional

How would a project agreement be structured?

- Project sponsor identifies individual projects or “bundles” them into an overall agreement
- Agreement between the sponsor and the city or county to complete project(s) for public benefit
- Jurisdictions do not contract directly with land owners, only with governmental or not-for-profit project sponsors

What liability issues should I be concerned about?

Discuss liability issues with your city or county risk manager. The single biggest variable to consider when using jail industries crews is the issue of providing industrial insurance to offenders. Cities and counties can cover offender workers under special industrial insurance classification #4907. This provides medical coverage but does not permit offenders to claim for time loss payments while incarcerated. Covered offenders cannot sue for work-related injuries. If you choose to cover offenders, be aware that WISHA training and record keeping requirements apply to those workers covered by industrial insurance. If you choose not to cover offenders and they are injured on the job, they may have the ability to sue the jurisdiction for damages. Jail Industries industrial insurance rates are currently \$0.1322 per labor hour. **See the attached L and I information for more details.**

Are offenders working as jail industries crew members “employees”?

No. Offenders may volunteer or be required to work on behalf of a jurisdiction during their incarceration, but that work does not make them employees of any city or county department. Offenders may be covered by Labor and Industries industrial insurance, but again, this does not give them the status of an employee. You may choose to pay offenders a gratuity or work may be without pay. Work may also be credited toward

community service hours requirements. Jurisdictions that do pay are encouraged to make deductions to offset costs of incarceration or to pay towards outstanding fines and restitution orders.

What costs would be involved in putting together a jail industries crew?

The single greatest expense will be staff supervision. This line item will vary depending upon the job classification of the crew supervisor. The bullets below list other costs. When putting together a budget, consider all the sources of funding you have available in the jurisdiction, including using existing resources like vehicles or hand tools.

Jail Industries Crew Costs

- Crew supervisor
- Safety training
- Equipment
- Consumable Supplies
- Transportation
- Industrial insurance coverage or self insurance costs
- Potential wage payment to offenders

What security requirements will there be?

The one unique feature of using jail industries work crews is security.

- Jail screening to allow only low risk, minimum security offenders on a crew
- Supervision by deputy or corrections officer
- Alternative - inmate supervision training provided to crew supervisor if not a deputy or officer
- Security policies for crews - communication and emergency procedures

Which jurisdictions could field inmate crews?

- Potentially, any jail with minimum security offenders
 - 38 county jails holding inmates up to one year
 - Many city jails holding inmates from thirty days to one year
- Sheriff, police chief and/or jail manager will determine crew availability

How much work and what kind of work can be done?

Anticipate a crew size of between five and ten workers performing a full range of habitat projects. Discuss with your jurisdiction's risk manager if there are any areas or tasks restricted. Even these areas and tasks may be handled with jail industry crews, given the proper training. The key limiting factors to consider are the availability of appropriate training, and having offender crews close enough for efficient transport to work sites.

What types of community or business questions or concerns might arise?

- Use jail industries labor to supplement other available resources, not supplant employees
- Address all questions and concerns prior to start-up
- Work cooperatively with county commissioners, city or county council, local law enforcement and corrections officials and project sponsor supervisors
 - Negotiate appropriate scope of work
 - Understand legitimate security concerns and deal with them
 - Give citizens and potential customers information up front and use their feedback to design programs

What is the Jail Industries Board?

- 21 member volunteer board established by legislation
- Local representatives appointed by criminal justice and local government officials
- State agency representatives appointed by the Governor
- Goal is to help local governments establish and maintain inmate work programs

Role in Habitat Restoration Projects

- Help you write contracts to **Get the Work Done**

For overall questions on jail industries:

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